



# Water Quality NewsFlash

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## **Blue Ribbon Panel Report – SWRCB-convened panel assesses numeric performance goals for storm water**

– Last September, the State Water Resources Control Board (SWRCB) convened a Blue Ribbon Panel to consider the feasibility of establishing numeric effluent limits or other quantifiable limits for use in stormwater permits (see *NewsFlash* 05-31). SWRCB has now released the panel's report.

Currently, storm water permits issued for municipal-type discharges (including Caltrans) generally require that storm water management plans be designed to achieve compliance with water quality standards. The permits also require compliance with standards through an “iterative process” in which exceedances of standards are supposed to trigger implementation of improved best management practices (BMPs). In practice, cost-effective BMPs are lacking for many pollutants and storm water runoff often exceeds standards at the point of discharge. A different approach is used in permits for industrial wastes and sewage treatment plants. These permits typically include numeric “water quality-based effluent limits” which apply water quality standards to the discharges. They may also include limits applied on a categorical basis regardless of water quality issues (i.e., “technology-based” limits). The current State Board policy is that numeric water quality-based limits are not feasible for storm water. In addition, neither the SWRCB nor U.S. EPA has specified technology-based limits for storm water.

SWRCB is considering using numeric effluent limits for storm water from municipal, industrial, and construction activities and convened the panel to look at the feasibility of this. The panel noted that, “Both [permittees and NGOs] believe that permitting has become overly complex, and that it is extremely difficult, if not impossible to objectively determine if a facility, operation or municipality is in compliance with its permit requirements.”

For municipal discharges, the panel said, “It is not feasible at this time to set enforceable numeric effluent criteria for municipal BMPs and in particular urban discharges. However, it is possible to select and design them much more rigorously with respect to the physical, chemical and/or biological processes that take place within them, .... Depending on the pollutants and parameters of concern and BMP choices, it is very likely that treatment trains of structural BMPs will be required in many cases.” The panel also proposed *Action Levels* to identify “bad actor” catchments (e.g., dissolved copper at 100 ug/l). The panel's report discusses very specific approaches for identifying appropriate BMPs.

For construction sites, the panel said that numeric limits or target levels were technically feasible for common pollutants such as total suspended solids and turbidity, at least for larger projects. The panel also agreed that numeric limits are feasible for some industrial categories. The Board will hold two public meetings later in July and will also accept comments on the report. Posted: [http://www.waterboards.ca.gov/stormwtr/docs/swpanel\\_final\\_report.pdf](http://www.waterboards.ca.gov/stormwtr/docs/swpanel_final_report.pdf)

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